IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPLICATION NO.5034 OF 2004

In

CRIMINAL APPEAL NO.1382 OF 2004

Babuji Chandrarao Yedla : Applicant

(Orig. Accused)

V/s.

The State of Maharashtra : Respondent

...

Ms Sonia Miskin (appointed) for the applicant.

Mrs.A.S.Pai, Addl. Public Prosecutor for the State.

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CORAM : D.G.DESHPANDE & S.A.BOBDE,JJ.

DATE : JULY 26, 2006.

P.C.

1. Heard the Advocate for the applicant and the learned Addl. Public Prosecutor for the State.

2. This is an application for bail through jail. The conviction of the accused is based on circumstantial evidence. However, there is a strong motive for the accused, though the sister-in-law of the deceased has turned hostile. The other evidence is of last seen together, purchase of sickle for causing the injuries,

recovery of the sickle and blood-stained clothes and the evidence of the shop-keeper who sold the sickle to the accused. All the circumstances leading to the conclusion were brought on record and believed by the Court. Therefore, this is not a case for grant of bail.

3. The Criminal Application is rejected.

4. Looking to the fact that the accused is in custody since 21.12.2001, the appeal is expedited.

D.G. DESHPANDE, J.

S.A. BOBDE, J.